UNITED
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A

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20 November 1995

ORIGINAL: ENGLISH

Fiftieth session
SPECIAL POLITICAL AND DECOLONIZATION
COMMITTEE (FOURTH COMMITTEE)
Agenda item 85

REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Malaysia, Sudan, Tunisia, United Arab Emirates and Yemen: draft resolution

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

C

The General Assembly,

Recalling its relevant resolutions and the resolutions of the Commission on Human Rights,

Bearing in mind the relevant resolutions of the Security Council, the most recent of which is resolution 904 (1994) of 18 March 1994,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories 1/ and the reports of the Secretary-General, 2/

1/ See A/50/170, A/50/282 and A/50/463.

2/ A/50/657 to A/50/660.

Aware of the responsibility of the international community to promote human rights and ensure respect for international law,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 3/ to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Welcoming the signing of the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes and its Agreed Minutes, by the Government of the State of Israel and the Palestine Liberation Organization, at Washington, D.C., on 13 September 1993, 4/ as well as the subsequent implementation agreements, including the Agreement on the Gaza Strip and the Jericho Area signed at Cairo on 4 May 1994 5/ and the Interim Agreement on the West Bank and the Gaza Strip signed on 28 September 1995,

Noting the withdrawal of the Israeli army, which took place in the Gaza Strip and the Jericho area in accordance with the agreements reached between the parties, and the initiation of the Palestinian Authority in those areas,

Concerned about the continuing violation of the human rights of the Palestinian people by Israel, the occupying Power, especially in the use of collective punishment, closure of areas, annexation and establishment of settlements, and the continuing actions by it designed to change the legal status, geographical nature and demographic composition of the occupied Palestinian territory,

Concerned in particular about the dangerous situation resulting from actions taken by the illegal, armed Israeli settlers in the occupied territory, as illustrated by the massacre of Palestinian worshippers by an illegal Israeli settler in Al-Khalil on 25 February 1994,

Convinced of the positive impact of a temporary international or foreign presence in the occupied Palestinian territory for the safety and protection of the Palestinian people,

Expressing appreciation to the countries that participated in the Temporary International Presence in Hebron for their positive contribution,

Convinced of the need for the full implementation of Security Council resolution 904 (1994),

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3/ United Nations, Treaty Series, vol. 75, No. 973.

4/ A/48/486-S/26560, annex.

5/ A/49/180-S/1994/727, annex.

1. Determines that all measures and actions taken by Israel, the occupying Power, in the occupied Palestinian territory, including Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 3/ and contrary to the relevant resolutions of the Security Council are illegal and have no validity, and demands that Israel desist forthwith from taking any such measures or actions;

2. Reaffirms in particular that the Israeli settlements in the occupied Palestinian territory, including Jerusalem, and the other Arab territories occupied by Israel since 1967 are illegal and an obstacle to achieving comprehensive peace;

3. Notes with satisfaction the return of a number of deportees to the occupied Palestinian territory, and calls upon Israel to facilitate the return of the remainder;

4. Calls upon Israel, the occupying Power, to accelerate the release of all remaining Palestinians arbitrarily detained or imprisoned, in line with agreements reached;

5. Calls for complete respect by Israel, the occupying Power, of all fundamental freedoms of the Palestinian people, pending the extension of the self-government arrangements to the rest of the West Bank;

6. Requests the Secretary-General to report to the General Assembly at its fifty-first session on the implementation of the present resolution.

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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories

D

The General Assembly,

Deeply concerned that the Syrian Golan occupied since 1967 has been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the last of which was 49/36 D of 9 December 1994,

Having considered the report of the Secretary-General of 20 October 1995, 1/

Recalling further its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

1/ A/50/660.

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and stressing the need for rapid progress in all bilateral negotiations,

1. Calls upon Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel, the occupying Power, should rescind forthwith its decisions;

2. Also calls upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

4. Further calls upon Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and to desist from its repressive measures against the population of the occupied Syrian Golan;

5. Deplores the violations of the Geneva Convention by Israel;

6. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to above;

2/ United Nations, Treaty Series, vol. 75, No. 973.

7. Requests the Secretary-General to report to the General Assembly at its fifty-first session on the implementation of the present resolution.

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SPECIAL POLITICAL AND DECOLONIZATION
COMMITTEE (FOURTH COMMITTEE)
Agenda item 85

REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

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Deeply concerned that the Syrian Golan occupied since 1967 has been under continued Israeli military occupation,

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Recalling also its previous relevant resolutions, the last of which was 49/36 D of 9 December 1994,

Having considered the report of the Secretary-General of 20 October 1995, 1/

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* Reissued for technical reasons.

1/ A/50/660.

Recalling further its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ to the occupied Syrian Golan,

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2. Also calls upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

4. Further calls upon Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and to desist from its repressive measures against the population of the occupied Syrian Golan;

2/ United Nations, Treaty Series, vol. 75, No. 973.

5. Deplores the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. Requests the Secretary-General to report to the General Assembly at its fifty-first session on the implementation of the present resolution.